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WHOLE NUMBER 17,238.

RICHMOND, VA., THURSDAY, JUNE 28, 1906.

PRICE TWO CENTS.

## THAW IS SANE AND WILL FACE JURY IN OPEN

Relies On "Unwritten Code" to Secure Acquittal.

## ALIENISTS IN CELL REBUFFED

Prisoner Defied Counsel and Refused to Answer Questions.

## WIFE WILL GO TO JAIL RATHER THAN TESTIFY

Important Witness Said to Have Heard White Make Derogatory Remarks at Roof Garden—Attorney Has Letters Written by the Architect.

(Special to The Times-Dispatch.)  
NEW YORK, June 27.—Harry Kendall Thaw has been declared sane by a board of eminent alienists.

From information obtained to-day, it is practically certain that Thaw will, of his own volition, confront a jury in open court and take his chances with the law for the murder of Stanford White. Convinced that under the "unwritten code" no jury in the world would convict him on the evidence that would be brought out, his lawyers are preparing to abandon the plea of insanity and insist upon a trial on the evidence. This plan has been urged by several of the leading criminal lawyers in New York, and its adoption by Thaw's counsel is said to be practically assured.

In the event of a trial on the merits of the case, revelations of such a startling nature concerning the life of Stanford White as to shock all New York must result.

Visited by Wife.  
Thaw took a determined stand in refutation of the charge of insanity to-day, when he stubbornly refused to answer any questions put to him by the Board of Alienists called in by the district attorney.

Evelyn Nesbitt-Thaw visited her husband in the Tombs prison and is aiding the lawyers in preparing his defense. Dozens of witnesses have been subpoenaed by Acting District Attorney Nott for the coroner's inquest and grand jury proceedings to-morrow.

Information tending to show that Harry Thaw abandoned his wife in April, and that the young Pittsburgh millionaire surreptitiously took passage on the steamer "Wilhelm II," on which his sister, the Countess of Yarmouth, left this country April 24th, came to light to-day.

Thaw, it is said, hid on the vessel until she left her pier, paid his passage money to Purser Tielbörger, and then confessed to his sister that he had left his wife "for good." The Countess of Yarmouth begged her brother to return to this country, but he persistently refused for a week, after her arrival in London, and it was only the night before the steamer Kaiserin August Victoria left the English Channel on her maiden trip to this country that young Thaw consented to return.

Will Go to Prison First.  
District Attorneys Nott and Garvan are determined that the woman shall be examined before the grand jury, where she can be put under oath, and where it is expected to learn from her enough to establish the motive which actuated Thaw in killing Stanford White. She has announced that she will go to prison rather than testify before the grand jury.

Mr. Nott says that Mrs. Thaw cannot claim the privilege of refusing to answer questions just because she is the wife of a man accused of crime, and that this privilege is extended only to what are known as confidential communications between husband and wife. If she refuses to answer questions she can be committed for contempt of court.

She may refuse to answer questions on the ground that the answers might tend to degrade or incriminate her, and also she has the right to refuse to answer questions on the ground that the answers might tend to convict her of crime.

Declared Him Sane.  
The report of the alienists retained by the district attorney's office to examine into the prisoner's mental condition, was made after the physicians had spent an hour with Thaw, who, in defiance of the advice of his counsel, former Judge Olcott, refused to answer any questions, and declared that nothing short of actual force would compel him to submit to a physical examination.

When the committee of physicians called upon the prisoner, Thaw said firmly, as the first member was introduced to him by Dr. Allan McLane Hamilton, retained for the defense, "I beg your pardon; I will answer no questions whatever."

Thaw began a general conversation on trivial subjects with Dr. Austin Flint and Dr. Hamilton, Thaw deftly parrying any questions that had any bearing on his mental or physical condition. Finding him obdurate, the doctors hurriedly summoned Mr. Olcott, but to him Thaw vehemently reiterated his determination to answer no questions.

"You can put it down to the condition of my feelings, if you will," said Thaw.

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## CHIEF COUNSEL FOR THAW, PICTURES OF WIFE AND SCENE OF SHOOTING.



EX-GOVERNOR BLACK, Chief Counsel for Thaw.



THE ETERNAL QUESTION  
CHARLES DANA GIBSON'S  
famous sketch of  
EVELYN NESBITT



EVELYN NESBITT THAW.  
Stanford White's Masterpiece—Madison Square Garden, where he was slain.

## ATTACKS HEARST ON SENATE FLOOR

Bailey Makes Hot Reply to Articles in Magazine.

## OFFENSIVE AND FALSE, HE SAYS

Declares Apostle of Honesty Spent in One Ward More Money to Influence Voters Than He Used in His Entire Political Career.

(From Our Regular Correspondent.)  
WASHINGTON, D. C., June 27.—Senator Bailey held the attention of the Senate and crowded galleries for more than an hour this afternoon, while he denounced the charges contained in an article of "The Treason of the Senate" series, by David Graham Phillips, which have been appearing in the Cosmopolitan Magazine for several months.

The charges were to the effect that while Mr. Bailey appeared to the public as the friend of the people, he was in reality in league with Republican Senators to disregard the rights of the people and accomplish what the trusts and corporations wished done. The article charged that Mr. Bailey, for money consideration, procured permission of the authorities for the return of one of the Standard Oil Companies to the State. When the Texas Senator concluded nearly every Senator in the chamber applauded something rarely occurring in the Senate.

Great Crowd There.  
The report that Mr. Bailey would speak to-day had gone abroad, and as usual the galleries were crowded with men and women, eager to hear the Texan discuss the charges affecting his honesty and honor. Mr. Bailey read the first portion of his speech. He told a story prior to taking the floor that he had written the first twenty minutes of his speech for the reason that he feared he would lose control of himself and say things which might offend the dignity of the Senate. The statement throughout was calm, dignified and delivered with that air of finality that carries conviction always when Mr. Bailey speaks. Especially effective was his defense of the memory of the late Senator Gorman, who was attacked in one of the articles just before he died, and the second attack appeared in the article making the charges against Mr. Bailey after the Maryland Senator had passed from earth.

The Senators gave Mr. Bailey the closest attention, and when he concluded nearly every Senator in the chamber crowded to his desk and congratulated him. There was a ripple of laughter in the press gallery when Senator Elkins shook Mr. Bailey's hand with prolonged effusiveness. An italicized line at the conclusion of the article attacking Mr. Bailey said that Senator Elkins would be the subject of the next article in "The Treason of the Senate" series.

False and Offensive.  
Beginning with the statement that he did not make it a practice to take notice of criticisms, Mr. Bailey said the fact that the Cosmopolitan is owned by members of Congress takes this case out of the general rule. He then spoke of the published matter as "false and offensive," but said that he did not propose to consider it from a personal standpoint, "because it is of a kind which, if

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## DAMES PRESENT SILVER SERVICE

Delightful Ceremony and Reception Aboard the Battleship Virginia.

## MR. CABELL MAKES ELEGANT SPEECH

Responded to in Pleasing Terms by the Commander of the Fine Ship—Mrs. Cox, President of the Dames, Guest of Honor—A Pleasant Trip.

(Special from a Staff Correspondent.)  
NORFOLK, VA., June 27.—A delightful day and the pleasantest of early morning trips to Norfolk began the unmixt pleasure of to-day, marked for the Society of Colonial Dames in the State by their presentation of silver to the battleship Virginia.

The party leaving Richmond included Mr. and Mrs. James Alston Cabell, Mrs. William McCree Ramsey, of Westover; Miss Helen Montague, Mrs. R. T. Hunter, Mrs. Allison Hodges, Mrs. Augustine Carter's Grove, Va., whose son, Midshipman W. H. Booth, is seeing service with the Virginia, joined the Dames.

In Norfolk.  
Arriving in Norfolk the entire company proceeded at once to the Monticello Hotel, where they were most cordially welcomed by Mrs. William Ruffin Cox, the president of the Virginia Dames, and General Cox, who had arrived in Norfolk from North Carolina Tuesday afternoon, and by Mrs. L. R. Dashiell, who, with her son, left Richmond Tuesday by the Brandon.

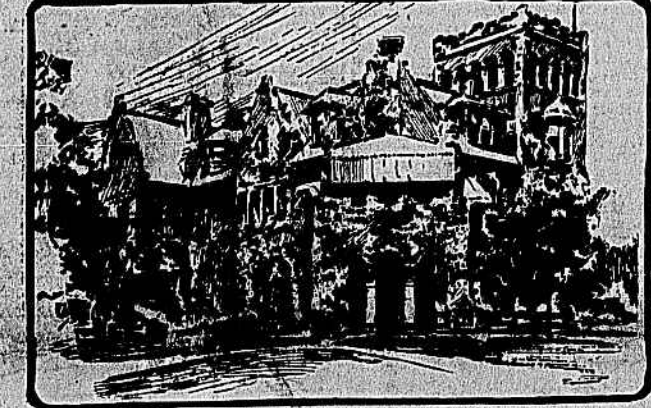
In a short while Mr. and Mrs. Hugh Nelson Page, of Norfolk; Mrs. Eldridge, wife of Paymaster Eldridge; Mrs. John Newport Greene, Mrs. James Hunter, Miss Louise Hunter, Mrs. J. R. Hubbard, Miss Fannie Sams, Mr. and Mrs. Floyd Hughes, Mrs. Charles Wortham of Richmond, and Mrs. John Sargent Wise, of New York, and "Kiptopeke," Cape Charles, Va., made their appearance, and under the courteous escort of Midshipman O. Bartlett, the assembled crowd left the hotel and were conveyed by the government launch to the Portsmouth navy yard.

The Virginia.  
The battleship Virginia lay between the Louisiana and the Kentucky, as beautiful as if she had put on her best for her to be named after their State, had come to bring her a gift and send her out on her first trip with their good wishes.

Mrs. Cox, gowned in blue and wearing the colonial colors and emblems, led the way to the Virginia's deck, with Midshipman Bartlett. Standing to receive her were those who followed were Mrs. A. Y. Wadhams, Captain Schroeder, Captain Wadhams and Miss Ormsby, the friend and guest of Mrs. Wadhams.

The band played a number of lovely selections, beginning with a march composed and named in honor of the ship; the guns were elevated and the turret

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"LYNDEBURST," MRS. WILLIAM THAW'S RESIDENCE, PITTSBURG.

## JAMESTOWN TO GET \$1,325,000

Senate Accepts Report of Conference and House Will Take Similar Action.

## MUST BE CLOSED ON SUNDAY

All Hands Receiving Congratulations, With Particular Praise for Maynard.

(From Our Regular Correspondent.)  
WASHINGTON, D. C., June 27.—Congress will appropriate \$1,325,000 to the Jamestown Exposition. The Senate concurred this afternoon in the report of the conference on the sundry civil appropriation bill, asking this appropriation, and the House will take similar action. There will be very slight objection in the House, if, indeed, there be any at all. The appropriation is in the amount from \$1,450,000 is apparent, rather than real. The appropriation of \$12,000,000 in the army bill for the transportation of troops is available for the transportation of \$100,000 item for this purpose in the bill originally introduced by Mr. Maynard, and the similar item in the Senate amendment, as prepared by Senator Daniel, was unnecessary, and the advocates of the bill made the proposition that it be stricken out, in order to lessen the opposition of the conference on the part of the House.

## Must Close on Sunday.

Mr. Tawney, chairman of the Committee on Appropriation and head of the conference on the part of the House, endeavored to induce Mr. Maynard to consent to a much greater reduction, but the latter and the officers of the exposition company, who are here, felt so certain of the strength of the exposition proposition on the floor of the House, they would not recede further than to consent that the appropriation for government buildings should be reduced \$25,000. The conference on the part of the House then agreed to accept the amendment.

So far as the working capital of the appropriation is concerned, the reduction amounts only to the \$25,000, which will come out of the government buildings. It is provided that the exposition shall be closed on Sunday. The bill will be gotten to the President as soon as possible. He is thoroughly familiar with all provisions of the exposition amendment, and, in fact, has done all he could to

(Continued on Second Page.)

## FRANTIC MOTHERS HEAR WILD RUMOR

Parents Hear That Children's Throats Were Being Cut in Public Schools.

## CROWDS SURROUND SCHOOLS

Believed That Russian Massacres Were to Be Repeated in This Country.

(By Associated Press.)  
NEW YORK, June 27.—A wild rumor that children's throats were being cut in the public schools resulted in such excitement and panic throughout the lower Eastside to-day that fifteen schools, with 25,000 pupils, were closed for the day.

The trouble was caused by operations performed on several children yesterday for the removal of adenoids, a fungus growth in the back of the throat and nasal cavity. The operation is not dangerous, but the reports concerning it had been done spread rapidly to-day, especially among the Hebrews, and became changed into rumors that the Russian and Jewish massacres were to be repeated in this country, and that a start was being made on Hebrew children.

It was not long before many of the schools were surrounded by crowds of frantic parents, bent on rescuing their little ones from what they believed to be impending death. These crowds were so threatening that hurried calls for protection were sent to the nearest police stations, and all the patrolmen available were sent out to restore order.

All attempts at continuing sessions for the day were soon seen to be useless, and one after another the principals decided to dismiss their pupils for the day, and the little ones marched out the scenes were pathetic, weeping women rushing forward to clasp their children in their arms in thanksgiving.

## EXPRESSES HORROR AT RUSSIAN MASSACRES

(By Associated Press.)  
WASHINGTON, D. C., June 27.—President Roosevelt has approved the joint resolution of Congress expressing the horror of the people of the United States at the massacre of Hebrews in Russia and expressing sympathy with those bereaved. The approved resolution will be sent to the State Department, where it will be published officially as an act of Congress. There is no requirement in terms that it shall be officially communicated to the Russian government.

## WOULD ORGANIZE POLITICAL PARTY

Mammoth National Convention of All Reformed Forces of Nation Suggested.

## DEMOCRAT FOR PRESIDENCY

Republicans Understand That They Can Win Only With President Roosevelt.

(By Associated Press.)  
ST. LOUIS, June 27.—The National Committee of the People's Party met here to-day, delegates being present from almost every State in the Union. The gathering is for the purpose of discussing the political situation, and will assume somewhat the appearance of a convention before adjournment. It is said that possibly the party members will endorse a man for the presidential nomination. The conference provisional committee is advocating a mammoth national convention of all the reformed forces of the nation, the object being to organize a political body of "unity, harmony and strength."

The conference was called to order by James H. Ferris, national chairman of the People's Party, who said, in part: "The rule bill does not meet popular demands, but is a step showing at least that the suitmen desire to do something for the people. Populists will push on for government ownership of these industries, housing, government functionaries, Theodore Roosevelt, Senator La Follette and Thomas Lawson William Jennings Bryan, Governor Polk and W. H. Hearst, well-known popular by their Wall Street despisers, are great men of their parties, and it is their populist tendencies alone that have made them more highly esteemed than their ordinary fellow partisans. It is so recognized by their party managers, for Bryan, Hearst or Polk will be taken to defeat a Republican for the presidency. Likewise, the Republicans understand they can defeat the Democrats with no other than Roosevelt."

## DOWIE IS MONOMANIAC. ALIENIST DECLARES

(By Associated Press.)  
CHICAGO, June 27.—John Alexander Dowie to-day was declared by Dr. Archibald Church, an alienist, to be a monomaniac, although possessed of great mental capacity for business. Dr. Church had attended several sessions of court during the hearing and had heard Dowie tell of seeing and hearing celestial music, of preventing a shipwreck and of curing diseased persons by means of prayers. The physician declared it to be his belief that Dowie might be insane and still have mental capacity to accumulate \$7,000,000 in seven years.

## "Immortal J. N." is Dead.

(By Associated Press.)  
TOLEDO, O., June 27.—J. N. Free, known all over the country as the "Immortal J. N.," died to-day at the Toledo State Hospital for the Insane. For States, paying neither hotel bills nor railroad fare. He was harmlessly crazy and had been an inmate of the insane hospital for several months.

## BILL KNIFE BY CONFEREES IS MAKESHIFT

Pure Food Law Now Limp and Impotent.

## PACKERS GET FINGER IN PIE

Remarkable Situation in Congress Over Meat Inspection Bill.

## HOUSE STANDING FIRM: SENATE IN QUANDARY

Members of Upper Branch Decide to "Sleep Over Matter" Before Doing Anything "Rash"—No Agreement on Rate Bill Yet.

(Special to The Times-Dispatch.)  
WASHINGTON, D. C., June 27.—The pure food bill passed by the Senate afforded a liberal measure of protection to the public against the thousands of adulterations that lengthen the list of dyspeptics and eventually increase the mortality rate, but the pure food bill as agreed to to-day in conference is regarded as a makeshift and a decided disappointment to those who had been encouraged by the extent of the agitation for food legislation to expect a genuinely corrective measure.

Although emasculated almost beyond recognition in the House, the Senate bill was further disfigured in the conference, and unless the unexpected happens, the conference report is disagreed to in the Senate, a limp and impotent pure food bill will be written upon the Federal statute books.

## Stricken Out

At one stroke the conference stricken sections nine, ten, eleven, twelve and thirteen of the Senate bill—sections which gave to the measure the vitality that was to distinguish it and make the operation of the law redound to the public weal. Section nine, which was stricken out, provided, among other important things, that the Secretary of Agriculture, from time to time, shall determine and make known standards of the various articles of food and drugs in compliance with the definitions and provisions of the act for the guidance of the officials charged with the administration of food laws and for the information of the courts, and to determine the wholesomeness or unwholesomeness of preservatives and other substances which are or may be used in the manufacture of food or drugs.

Section eleven makes it a misdemeanor to refuse to comply with the provisions of section ten. It also provides a fine for the manufacture for sale of adulterated or misbranded articles of food or drugs. Section twelve, in full, provides:

Effect of Measure.  
"That this act shall not be construed to interfere with commerce wholly interstate in any State, nor with the exercise of their police powers by the several States; but foods and drugs fully complying with all the provisions of this act shall not be interfered with by the authorities of the several States when transported from one State to another, so long as they remain in original, unbroken packages, except as may be otherwise defined by law or provided by statutes of the United States: Provided that nothing in this act shall be construed as repealing, modifying or changing chapter 726 of the act of Congress approved August 8, 1890."

Section thirteen provides that any article of food or drug that is adulterated or misbranded within the meaning of this act, and is transported or being transported from one State to another for sale, or if to be sold or offered for sale in the District of Columbia or any territory of the United States, or if it is imported from a foreign country for sale, or if intended to be exported to a foreign country, shall be liable to be proceeded against in any district court of the United States, within the district where the same is found, and seized by a process of libel for condemnation.

Generalized, the bill agreed to in conference prohibits the use of deleterious adulterants in any article of food or drugs, and prohibits misbranding of foods and drugs, false labeling or any other device calculated to deceive the purchaser.

## History of Bill.

The history of the pure food bill in the House is highly interesting. It was passed by the House last March, and sent over to the Senate, where it lay unnoticed until a few days ago. The reason of its long neglect was the opposition of Speaker Cannon to pure food legislation at this session of Congress. The advocates of the bill made repeated attempts to get it before the House, but "Uncle Joe" was immovable. Meanwhile, the fact that the Senate bill was held up in the House, because of the obstinacy of the Speaker got back to his district in Illinois.

Out there the people had been clamor-